

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ALMA KOSS, <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 17-CV-2762
)	
v.)	Honorable Judge Joan Gottschall
)	
THERESA EAGLESON and GRACE HOU,)	
)	
Defendants.)	

ORDER

On March 29, 2018, this Court entered an order (1) certifying a class of “[a]ll individuals who on or after February 1, 2015, have applied to be determined to be eligible for long-term care Medicaid benefits from the State of Illinois, and have not received a final eligibility determination or a notice of an opportunity for a hearing within 45 days of the date of application in non-disability cases or 90 days in disability cases,” and (2) entering a preliminary injunction that, among other things, required Defendants to implement policies and processes to ensure compliance with those 45-day and 90-day deadlines (Dkt. 56). Defendants appealed the preliminary injunction order.

On October 1, 2021, the parties advised the Court that Defendants’ data revealed that there were no class members as of September 8, 2021 (Dkt. 136).

On November 3, 2021, this Court entered an order approving the parties’ joint proposal to dispose of this case (Dkt. 143), which included the parties’ agreement that the class should be decertified because the class, as currently defined, lacks sufficient members to satisfy Rule 23(a)(1)’s numerosity requirement and does not satisfy the other requirements for class certification. (Dkt. 142). The Court being otherwise fully advised,

IT IS HEREBY ORDERED:

The Court decertifies the class that was certified on March 29, 2018 (Dkt. 56).

Entered: November 10, 2021

/s/
Honorable Joan B. Gottschall
United States District Court Judge